

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/620,182	07/15/2003	Robert S. Mantell	8655		
7590 10/29/2004			EXAM	EXAMINER	
Robert S. Mantell			PHILLIPS, CHARLES E		
15 Acadia Parl	κ #2			•	
Somerville, MA 02143			ART UNIT	PAPER NUMBER	
			3751		

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Responsive to communication(s) filed on  2a) This action is FINAL. 2b  This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-11 and 15-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) 1-47-9.15 and 16 is/are rejected.  7) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a  accepted or b  objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.			١ ٨ ٨				
Examiner		Application No.	Applicant(s)				
Charles E. Phillips 3751  - The MALLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  If the period for reply specified above is less than thirty (30) days, and the state attemption of the specified adverse is less than thirty (30) days, and the state of this communication.  If the period for reply specified above is less than thirty (30) days, and the state of the communication of the state attemption of the st		10/620,182	MANTELL, ROBERT S.				
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Estancions of them myle a variable under the provisions of 37 CRT 1.136(a). In no event, however, may a neply be timely filed after 30 (c) MONTHS from the mailing state when the control of the co	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of them may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a rapty be timuly filed.  Extensions of them may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a rapty be timuly filed.  Extensions of them may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a rapty be timuly filed.  Extensions of them may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a rapty be timuly filed.  Extensions of them may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a rapty be timuly filed.  Extensions of them may be available under the provisions of 37 CFR 1.138(a). The school of 18 communication		Charles E. Phillips	3751				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of them may be available under the provisions of 3°CPR 170(a), in no event, however, may a reply be timely filed  Extension of the may be available under the provisions of 3°CPR 170(a), in no event, however, may a reply be timely filed  If the period for reply specified above is less than thirty (30) days, a neply within the statutory preinful may be prevented for reply specified above is than the period of the communication of the prevented for reply valle, by additional prevented and the prevented and the prevented all pays and vall engine is 00, 900/MTR for the mariling date of this communication.  Finally to reply vallen the soft or extended prevented for reply valle, by statute, cause the application to bocome APAPACHED, 650 U.S. C. § 130, earned patent term adjustment. See 3° GPR 1.74(b).  Status  1) Responsive to communication(s) filed on the prevented pays of the prevented patent term adjustment. See 3° GPR 1.74(b).  Status  1) See a communication is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-11 and 15-20 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  5) Claim(s) 1-12 and 16-20 is/are pending in the application.  5) Claim(s) 1-13 and 16-20 is/are pending in the application.  6) Claim(s) 3-13 and 16 is/are allowed.  6) Claim(s) 3-14.7-9.15 and 16 is/are rejected.  7) Claim(s) 3-14.7-9.15 and 16 is/are rejected.  7) Claim(s) 3-14.7-9.15 and 16 is/are rejected.  8) Claim(s) 3-14.7-9.15 and 16 is/are rejected.  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeysance. See 3° CPR 1.86(a).  Replacement drawing sheet(s) includi		pears on the cover sheet with the c	orrespondence address				
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provision of 32 FZR 1.13(b), in no event, however, may a raply be timely filed after SIX (6) MONTHS from the mailing date of this commission of 32 FZR 1.13(b), in no event, however, may a raply be timely filed after SIX (6) MONTHS from the mailing date of this commission of 32 FZR 1.13(b), in no event, however, may a raply be timely filed after SIX (6) MONTHS from the mailing date of this communication is the provision of Claims  4) □ Responsive to communication(s) filed on		VIC SET TO EVOIDE 2 MONTH/	S) EDOM				
1)  Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a repl - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be tim y within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from b, cause the application to become ABANDONEI	s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133).				
2a) ☐ This action is FINAL. 2b ☐ This action is non-final.  3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4 ☐ Claim(s) 1-11 and 15-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 ☐ Claim(s) is/are allowed. 6 ☐ Claim(s) 1-4,7-9.15 and 16 is/are rejected. 7 ☐ Claim(s) 5.6,10.11 and 16-20 is/are objected to. 8 ☐ Claim(s) is are subject to restriction and/or election requirement.  Application Papers  9 ☐ The specification is objected to by the Examiner. 10 ☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)☐ All b)☐ Some * c)☐ None of: 1.☐ Certified copies of the priority documents have been received in Application No. 2.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(e)  1)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)☐ Information Disclosure Statement(e) (PTO-1449 or PTO/SB08)  5 ☐ Notice of Informal Patent Application (PTO-152)	Status	•	•				
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Application/Control Number: 10/620,182

Art Unit: 3751

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7-9 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Carter et al.

The handle is 20 and the connection mechanism is any of the structure best seen in Fig. 4 whereby the handle is connected to seat 15. The pivoting assembly is seen at the lower left of Fig. 4 and meets the last clause here as best described in col. 4, lines 26-54.

The claim 2 extension is seen to house slot 41. Re. Claim 3, the extension "dips down" at its leftmost end and "angles upward" above slot 41 or at it's convection to plate 19.

Re: claim 15, the range of motion of the handle 20 as viewed in Figs 2 and 3 is less than 90 degrees with the tanks and bowl 12 being 90 degrees disposed.

The claim 4 range is deemed met in that the length of slot 41 is certainly more than one inch.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al as applied supra.

This range would not unobviously define over Carter et al as it would have been obvious to provide for any range deemed desirable.

Claims 5, 6, 10, 11, and 16-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Charles Philiips at telephone number (703) 308-1515.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Chades E. Phillips Primary Examiner